

Docket No.
BLP:106 PCT/ US

Declaration and Power of Attorney For Patent Application

English Language Declaration

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name,

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled
Methods For Using Resonant Acoustic And/Or Resonant Acousto-EM Energy To Detect And/Or Effect Structures

the specification of which

(check one)

☐ is attached hereto.

☒ was filed on September 10, 1999 as United States Application No. or PCT International Application Number PCT/US99/20776
and was amended on _____

(if applicable)

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, Section 1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, Section 119(a)-(d) or Section 365(b) of any foreign application(s) for patent or inventor's certificate, or Section 365(a) of any PCT International application which designated at least one country other than the United States, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate or PCT International application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application(s)

Priority Not Claimed

(Number)

(Country)

(Day/Month/Year Filed)

☐

(Number)

(Country)

(Day/Month/Year Filed)

☐

(Number)

(Country)

(Day/Month/Year Filed)

☐

I hereby claim the benefit under 35 U.S.C. Section 119(e) of any United States provisional

60/099,995

September 11, 1998

(Application Serial No.)

(Filing Date)

(Application Serial No.)

(Filing Date)

(Application Serial No.)

(Filing Date)

I hereby claim the benefit under 35 U. S. C. Section 120 of any United States application(s), or Section 365(c) of any PCT International application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of 35 U.S.C. Section 112, I acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me to be material to patentability as defined in Title 37, C. F. R., Section 1.56 which became available between the filing date of the prior application and the national or PCT International filing date of this application:

(Application Serial No.)

(Filing Date)

(Status)
(patented, pending, abandoned)

(Application Serial No.)

(Filing Date)

(Status)
(patented, pending, abandoned)

(Application Serial No.)

(Filing Date)

(Status)
(patented, pending, abandoned)

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

POWER OF ATTORNEY: As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith. *(list name and registration number)*

Mark G. Mortenson

The Law Offices of Mark G. Mortenson

Post Office Box 310

North East, MD 21901-0310

Registration No.: 31,182

Send Correspondence to:

The Law Offices of Mark G. Mortenson

Post Office Box 310

North East, MD 21901-0310

Direct Telephone Calls to: *(name and telephone number)*

Mark G. Mortenson - 410-287-8795

Full name of sole or first inventor

Juliana H. J. Brooks

Sole or first inventor's signature

Residence

5689 Walnut View Boulevard, Columbus, OH 43230 *ott*

Citizenship

American

Post Office Address

Same

Date

March 6, 2001

Full name of second inventor, if any

Albert E. Abel

Second inventor's signature

Residence

1655 Wren Lane, Powell, OH 43065-8954 *ott*

Citizenship

American

Post Office Address

Same

Date

March 6, 2001

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09/786794

JC08 Rec'd PCT/PTO 08 MAR 2001
et No.: BLP:106 PCT

04-05-2000



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(Rev. 8-93)
OMB No. 0851-0011 (exp. 4/94)
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REC'D

U.S. DEPARTMENT OF COMMERCE
Patent and Trademark Office

Tab settings

To the Honorable Commissioner of Patents and Trademarks: Please record the attached original documents or copy thereof.

1. Name of conveying party(ies):

Juliana H. J. Brooks
Albert E. Abel

OPR/FINANCE

Additional names(s) of conveying party(ies)

☐ Yes ☒ No

3. Nature of conveyance:

☒ Assignment

☐ Merger

☐ Security Agreement

☐ Change of Name

☐ Other

Execution Date: 2/8/00 and 2/9/00

2. Name and address of receiving party(ies):

Name: Berkshire Laboratories, Inc.

Internal Address:

Street Address: 5689 Walnut View Blvd.

City: Columbus

State: OH ZIP: 43230

Additional name(s) & address(es) attached? ☐ Yes ☒ No

4. Application number(s) or registration numbers(s):

If this document is being filed together with a new application, the execution date of the application is:

A. Patent Application No.(s)

PCT/US99/20776

B. Patent No.(s)

Additional numbers attached? ☐ Yes ☒ No

5. Name and address of party to whom correspondence concerning document should be mailed:

Name: Marianne Fuierer

Internal Address: Law Offices of Howard M. Ellis,
Suite 104

Street Address: 200 John James Audubon Parkway

City: Amherst State: NY ZIP: 14228

6. Total number of applications and patents involved:

1

7. Total fee (37 CFR 3.41):.....\$ 40.00

☒ Enclosed - Any excess or insufficiency should be credited or debited to deposit account

☐ Authorized to be charged to deposit account

8. Deposit account number:

04/04/2000 DMBUYEN 00000150 US9920776

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9. Statement and signature.

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.

Marianne Fuierer

Name of Person Signing

Signature

February 22, 2000

Date

Total number of pages including cover sheet, attachments, and document:

4

ASSIGNMENT OF INVENTION

WHEREAS, WE, JULIANA H. J. BROOKS AND ALBERT E. ABEL residing respectively at 5689 Walnut View Blvd, Columbus, Ohio 43230 and 1655 Wren Lane, Powell, Ohio have invented certain new and useful improvements in:

**METHODS FOR USING RESONANT ACOUSTIC AND/OR RESONANT ACOUSTO-EM
ENERGY TO DETECT AND/OR EFFECT STRUCTURES**

for which we filed an International Application under the Patent Cooperation Treaty on 10 September 1999 having International Application No. PCT/US99/20776.

AND WHEREAS, BERKSHIRE LABORATORIES, INC., having a business address of 5689 Walnut View Blvd, Columbus, Ohio 43230, a business incorporated pursuant to the laws of the State of Delaware is desirous of acquiring all interest in said invention, said application and any Letters Patent which may be granted based on said International Application:

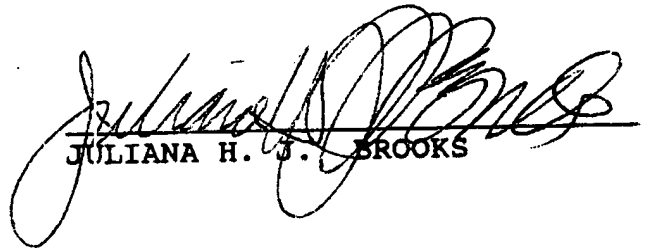
NOW THIS INDENTURE WITNESSETH, that for the sum of One Dollar, and other valuable consideration to us in hand paid, the receipt whereof is hereby acknowledged, we hereby assign, sell and transfer unto the said BERKSHIRE LABORATORIES, INC., the entire right, title and interest in the said invention, said application, including any divisions and continuations thereof, and in and to any and all Letters Patent of the United States and countries foreign thereto which may be filed during entry into the National Phase under the Patent Cooperation Treaty, which may be granted for said invention, and in and to any and all priority rights, Convention rights, and other benefits accruing or to accrue to us with respect to the filing of applications for patents or securing of patents in the United States and countries foreign thereto.

And we hereby authorize and request the Assistant Commissioner for Patents to issue any of said United States Letters Patent to said BERKSHIRE LABORATORIES, INC., as the Assignee of the whole

right, title and interest thereto.

And we further agree to execute all necessary and lawful future documents, including assignments in favor of BERKSHIRE LABORATORIES, INC., or its designee as BERKSHIRE LABORATORIES, INC., or its assignee may from time-to-time present to us in order to perfect title in said invention, modifications, and improvements in said invention, applications and Letters Patent of the United States and countries foreign thereto.

And we further agree to sign and properly execute such necessary and lawful papers for application for foreign patents, for filing subdivisions of said application for patent, and or, for obtaining any reissue or reissues of any Letters Patent which may be granted for our aforesaid invention, as the assignee thereof shall hereafter require and prepare at its own expense.


JULIANA H. J. BROOKS

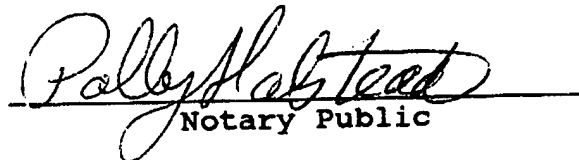
STATE OF OHIO)
) ss.
COUNTY OF)

On this 9 day of February in the year of 2000, before me, JULIANA H. J. BROOKS personally appeared and to me known to be the person described in and who executed the foregoing instrument, and who acknowledged that they executed the same.



POLLY HALSTEAD
NOTARY PUBLIC
STATE OF OHIO

MY COMMISSION EXPIRES
ON MAY 14, 2003


Notary Public

Albert E. Abel
ALBERT E. ABEL

STATE OF OHIO)
) ss.
COUNTY OF FRANKLIN)

On this 8 day of February in the year of
2000, before me, ALBERT E. ABEL personally appeared and to me known
to be the person described in and who executed the foregoing
instrument, and who acknowledged that they executed the same.

Polly Halstead
Notary Public



POLLY HALSTEAD
NOTARY PUBLIC
STATE OF OHIO

MY COMMISSION EXPIRES
ON MAY 14, 2003